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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,029	01/15/2002	Dirk Wenzel	DE 010013	5688

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

DEAN, RAYMOND S

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 07/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/047,029

Applicant(s)

WENZEL ET AL.

Examiner

Raymond S Dean

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 - 4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)

(e) BACKGROUND OF THE INVENTION.

(1) Field of the Invention.

(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

(f) BRIEF SUMMARY OF THE INVENTION.

(g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(h) DETAILED DESCRIPTION OF THE INVENTION.

(i) CLAIM OR CLAIMS (commencing on a separate sheet).

(j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

(k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3, and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Gercekci et al. (US 6,354,500).

Regarding Claim 1, Gercekci teaches a method of transmitting data signals between a base station (B) and a plurality of moving data media (1, 2) in which, for the purpose of starting a data transmission, the base station (B) emits a command signal in

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response to which data media (1, 2), which receive this command signal, each send a response signal to the base station (B) (Column 1 lines 65 – 67, Column 2 lines 50 – 60, the reader is the base station and the smart cards are the data media), whereupon the base station (B) selects one (1) of the data media (1, 2) for data transmission, and the transmission of data from the data medium (1) to the base station (B) is triggered solely in this selected data medium (1) (Column 2 lines 50 – 60, the smart card that is woken up is the selected data media), wherein a select code (SELECT) is appended to the signals which are sent by the base station (B) solely for a selected data medium (1), by means of which select code these signals are marked as sent by the base station (B) solely for a selected data medium (1) (Column 2 lines 50 – 60, the select code is the logical “1”), and wherein the emission of data signals to the base station (B) upon the reception of a data signal sent by the base station (B) and comprising a select code (SELECT) is suppressed independently of the remaining content of this data signal sent by the base station (B) in all data media (2) not previously selected by the base station (B) for data transmission (Column 2 lines 50 – 60, the smart card that is not selected will not transmit data back to the reader).

Regarding Claim 3, Gercekci teaches all of the claimed limitations recited in Claim 1. Gercekci further teaches wherein the select code (SELECT) is formed by a single bit (select code bit) in the data signal sent by the base station (B) (Column 2 lines 50 – 60).

Regarding Claim 4, Gercekci teaches all of the claimed limitations recited in Claim 1. Gercekci further teaches wherein the select code (SELECT) assumes a first

value in the data signal sent by the base station (B) when the data signal is marked as sent by the base station (B) solely for a selected data medium (1), and wherein the select code (SELECT) assumes a second value in the data signal sent by the base station (B) when the data signal is marked as sent by the base station (B) for all data media (1, 2) (Column 2 lines 64 – 67, Column 3 lines 1 – 15, the warm phase is for a particular smart card and the cold phase is for any and all smart cards).

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gercekci et al. (US 6,354,500) in view of Thomlinson et al. (US 6,532,542).

Regarding Claim 2, Gercekci teaches all of the claimed limitations recited in Claim 1. Gercekci further teaches wherein the select code (SELECT) is transmitted in the data signal sent by the base station (B) (Column 2 lines 50 – 60).

Gercekci does not teach a non-encrypted fashion.

Thomlinson teaches a non-encrypted fashion (Column 3 lines 55 – 58).

Gercekci and Thomlinson (Column 2 lines 3 – 5) both teach a system comprising smart cards thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the non-encryption method taught in Thomlinson in the system of Gercekci for the purpose of creating a digital signature that would allow the smart cards to verify that the received data comes from the desired reader and that said data has not been tampered with.

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Conclusion

6. Any inquiry concerning this communication should be directed to Raymond S. Dean at telephone number (703) 305-8998.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung, can be reached at (703) 308-7745. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 872-9314 (for Technology center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist). Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



NAY MAUNG
SUPERVISORY PATENT EXAMINER